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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,988	07/15/2003	Giora Biran	IL920000077US1	8803

7590 05/04/2005

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EXAMINER

CHEN, ALAN S

ART UNIT PAPER NUMBER

2182

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/619,988	<b>Applicant(s)</b> BIRAN ET AL.	
	<b>Examiner</b> Alan S. Chen	<b>Art Unit</b> 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claims 9, 18, 19 and 20 are objected to because of the following informalities: applicant applies short-hand drafting to make claims appear dependent, but the aforementioned claims are clearly independent claims as indicated by their distinct preambles. Applicant's Deposit Account #: 09-0468 will be charged \$600.00 for an additional three independent claims (there are three independent claims in excess of three) as per 37 CFR 1.16(h) as authorized in the 07/15/2003 transmitted letter.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-20 rejected under 35 U.S.C. 102(b) as being anticipated by No. 5,448,702 to Garcia, Jr, et al. (hereafter Garcia)

4. As per claims 1 and 10, Garcia discloses an apparatus and method (Fig. 9) comprising: descriptor logic (Fig. 2-4 shown how descriptors are implemented, e.g., in form a linked list and pointer; Fig. 5 shows the components of a descriptor), said apparatus for controlling flow of data between first and second data processing systems via a memory (Column 18, lines 53-65, the adaptor in Fig. 9 is connected to the processor and memory which it assists in communications with DMA, the processor is in Fig. 1, element 2 and memory is Fig. 1, element 3), said descriptor logic for generating a plurality of descriptors including a frame descriptor defining a data packet

to be communicated (Frame descriptor is shown in Fig. 5, element 52-55, where it dictates where to point the data to next and the amount of data in the packet) between a location in the memory and the second data processing system (Column 4, line 62-Column 5, line 10, where the apparatus in Fig. 5 transfers descriptors in memory to a plurality of peripheral devices, e.g., other data processing systems), and a pointer descriptor identifying the location in the memory (Fig. 5, element 52 or 54); and a descriptor table (Fig. 4) for storing the descriptors generated by the descriptor logic for access by the first and second data processing systems (contains a linked list of descriptors).

5. As per claims 2,3,11 and 12, Garcia discloses claims 1 and 10, wherein the descriptor table is stored in the data processing system (Fig. 3, stored in adaptor registers, Fig. 9).

6. As per claims 4-6, 13 and 14, Garcia discloses claims 1 and 10, wherein the descriptor logic generates various branch descriptor comprising links to other descriptors in the descriptor table (Fig. 3, various descriptors shown branching/pointing to the next descriptor).

7. As per claims 7 and 15, Garcia discloses claims 1 and 10, wherein the first data processing system comprises a host system (Fig. 1, the adapter, MAU is part of a host processing system).

8. As per claims 8 and 16, Garcia discloses claims 1 and 10, wherein the second data processing system comprises a data communications interface for communicating data between the host computer system and a data communication network (Column 9, lines 1-8, adaptors are attached external networks).

9. As per claim 9, Garcia discloses a data processing system (Fig.1) comprising a host processing system having a memory (element 2), a data communications interface (Fig. 1,

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element 4.5) for communicating data between the host computer system and a data communication network (Column 9, lines 1-8).

10. As per claims 17-20, Garcia discloses a computer program product, article of manufacture and program storage device readable by a machine (Fig. 1, shows computer product the result of manufacture, where the processor inherently requires initial instruction, e.g., booting and initialization, in order to start operation) in accordance to claims 1, 9 and 10.

### *Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to descriptors implementation in data processing systems:

U.S. Pat. No. US006202107B1 to Collier

U.S. Pat. No. US006324595B1 to Tsai et al.

U.S. Pat. No. US006324597B2 to Collier

U.S. Pat. No. US006832273B2 to Ray et al.

U.S. Pat. No. US006226267B1 to Spinney et al.

U.S. Pat. No. US006522188B1 to Poole


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan S. Chen whose telephone number is 571-272-4143. The examiner can normally be reached on M-F 8:30am - 5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ASC  
4/27/2005

  
JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
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4/27/05